

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARCUS A. CHURCH,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. C20-5667-JCC

ORDER

This matter comes before the Court on the Report and Recommendation of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. No. 7). The Court, having reviewed Petitioner's 28 U.S.C. § 2254 petition, the Report and Recommendation of J. Richard Creatura, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court ADOPTS the Report and Recommendation;
- (2) Petitioner's 28 U.S.C. § 2254 habeas petition is DISMISSED without prejudice;
- (3) Petitioner is DENIED issuance of a certificate of appealability;
- (4) Petitioner's *in forma pauperis* status is REVOKED for any appeal; and
- (3) The Clerk is DIRECTED to send copies of this Order to Petitioner and to the Honorable J. Richard Creatura.

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1 DATED this 4th day of November 2020.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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